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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,233	11/20/2003	Shawn K. Dumser	Dumser 1-29 (13436.286)	2207
24283	7590	08/29/2005	EXAMINER	
PATTON BOGGS 1660 LINCOLN ST SUITE 2050 DENVER, CO 80264			LE, DANH C	
			ART UNIT	PAPER NUMBER
			2683	

DATE MAILED: 08/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/719,233

Applicant(s)

DUMSER ET AL.

Examiner

DANH C. LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-9 and 12 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 11 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

The drawing on figure 4 is objected to because typo error on step 409 with the word "anchar". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 1-3, 6-9, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sayeedi (US 2003/0063584) in view of Castrogiovanni (2005/0064862).**

As to claim 1, Sayeedi teaches a global authentication continuity feature, operable in a cellular communication network, for providing continuity of the global authentication process executing in a serving Mobile Switching Center for a subscriber, who uses a mobile subscriber wireless communication device which has handed off to another Mobile Switching Center during the execution of the global authentication process (figure 1 and 3), comprising:

Mobile Switching Center message identification means, responsive to the receipt of a service request message in the serving Mobile Switching Center from said mobile subscriber wireless communication device, for determining whether said service request message requires initiation of an authentication process; and

handoff determination means, responsive to a determination that said service request message requires initiation of an authentication process, for determining

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whether the mobile subscriber wireless communication device has handed off to another base station; and

global authentication message forwarding means located in said serving Mobile Switching Center for transmitting a global authentication continuity message to the other base station to maintain continuity of the authentication process.

Sayeedi fails to teach handover between multiple MSCs. Castrogiovanni teaches handover between multiple MSCs (figure 1 and paragraph 0066). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Castrogiovanni into the system of Sayeedi in order to route the transmission between different mobile switching center.

As to claim 2, the combination of Sayeedi and Castrogiovanni teaches the global authentication continuity feature of claim 1 further comprising:

message compatibility means located in said serving Mobile Switching Center for determining whether the other Mobile Switching Center can accept said global authentication continuity message (figure 1).

As to claim 3, the combination of Sayeedi and Castrogiovanni teaches the global authentication continuity feature of claim 2 further comprising:

message formatting means, responsive to a determination that said other Mobile Switching Center can accept said global authentication continuity message, for generating said global authentication continuity message for transmission to the other Mobile Switching Center (figure 1).

As to claim 6, the combination of Sayeedi and Castrogiovanni teaches the global authentication continuity feature of claim 1 further comprising:

reply generation means, responsive to said mobile subscriber wireless communication device being presently served by said serving Mobile Switching Center for transmitting an Authentication Status Report to a Home Authentication Center via the mobile subscriber's Home Location Register (figure 1).

As to claim 7, the claim is a method claim of claim 1; therefore, the claim is interpreted and rejected as set forth as claim 1.

As to claim 8, the claim is a method claim of claim 2; therefore, the claim is interpreted and rejected as set forth as claim 2.

As to claim 9, the claim is a method claim of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

As to claim 12, the claim is a method claim of claim 6; therefore, the claim is interpreted and rejected as set forth as claim 6.

***Allowable Subject Matter***

Claims 4, 5, 10, 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 4 and 10, the teaching of above prior arts either alone or in combination fails to teach the global authentication continuity feature of claim 2 further comprising message formatting means, responsive to a determination that said other

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Mobile Switching Center can not accept said global authentication continuity message, for terminating processing of said global authentication continuity message.

Dependent claims 5, 11 are objectable for the same reason.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Akama (US 2004/0151186) teaches server, mobile communication terminal, radio apparatus, communication method in communication system and communication system.

B.. Holcman et al (US 2003/0108007) teaches method and apparatus for effecting handoff between different cellular communication.

C.. Uhlik et al (US 2003/0026220) teaches system and related method to facilitate delivery of enhanced data services in a mobile wireless communications environment.

D.. Karaoguz et al (2004/0053609) teaches apparatus for controlling and monitoring a wireless hotspot through an interface with a cellular telephone network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "danh", is written over a horizontal line.

August 25, 2005.

DANH CONG LE  
PATENT EXAMINER